
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ISMAEL CASILLAS-CORALES,

Defendant.

**MEMORANDUM DECISION AND
ORDER TO CONTINUE
JURY TRIAL**

Case No. 1:11-CR-44 TS

Based on the Motion to Continue the 3-day Jury Trial set to begin June 20, 2011 for a period of at least 60 days filed by defendant, Ismael Casillas-Corales, in the above-entitled case, and good cause appearing, the court makes the following findings:

1. On June 8, 2011, defense counsel received additional discovery including laboratory drug test results. Counsel has been diligent in preparing for trial, but additional time is necessary to allow defense counsel to review and investigate the additional discovery and determine if independent testing and analysis will be done. This review and testing cannot be completed prior to June 20, 2011 trial date. Counsel seeks a 60-day continuance to review the testing, consult with and advise his client, and

2. Furthermore, defense counsel needs the additional time to consult with Mr. Casillas and fully explain the impact of the new discovery on the theories of defense and potential sentencing consequences under the advisory sentencing guidelines. To deny the requested continuance in these circumstances would deny counsel for Defendant the time the reasonable time necessary for effective representation, taking into account counsel's diligence in

preparing for trial.

3. This is the first continuance requested by counsel for defendant, Ismael Casillas-Corales. Defendant Ismael Casillas-Corales is in custody and agrees with the requested continuance. Defendant Marco Antonio Casillas-Corales joins in the request for a continuance.

4. Pursuant to 18 U.S.C. § 3161(h), the Court finds the ends of justice served by such a continuance outweigh the best interests of the public and the defendant in a speedy trial

Based on the foregoing findings, and good cause appearing, it is hereby:


ORDERED

The 3-day Jury Trial previously scheduled to begin on June 20, 2011, is hereby continued. The trial and final pretrial conference dates have been set by separate notice.

Pursuant to 18 U.S.C. § 3161(h), the Court finds the ends of justice served by such a continuance outweigh the best interests of the public and the defendant in a speedy trial. Accordingly, the time between the date of this order and the new trial date set forth above is excluded from speedy trial computation for good cause.

Dated this 15th day of June, 2011.

BY THE COURT:



TED STEWART
Chief United States District Court Judge